

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:10 CR 624 CDP
)	
MICHAEL CLAVENNA,)	
)	
Defendant.)	

GOVERNMENT'S MOTION TO REVOKE SUPERVISED RELEASE

Comes now the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Carrie Costantin, Assistant United States Attorney for said District, and moves this Court to revoke defendant's supervised release for violations of his conditions of supervised release.

On February 7, 2011, defendant pled guilty to Possession of Child Pornography. The facts of the case were unique and disturbing. In his plea agreement, defendant admitted that on July 24, 2010, a woman reported to the police that a man had been surreptitiously taking photographs of her and her friends near a restaurant in Clayton. She obtained the license plate of the green Honda and the plate was registered to the defendant. In March, 2010, two minor girls had reported to the police that defendant had followed them in his green Honda as they walked through their Clayton neighborhood. On July 26, 2010, the Clayton Police contacted defendant at his residence in University City. During the taped interview, defendant admitted that he had taken photographs of females while driving in his car. He stated that he wanted to stop. He admitted that some of the photos that he had taken were on his computer at his

residence. He stated that he also had photographs that he had gotten off the internet on his computer. He agreed to let the police take his camera and laptop. A forensic examination of the Toshiba laptop found that it contained over five hundred images and fourteen videos of child pornography.

On May 3, 2011, defendant was sentenced to 78 months in prison and seven years of supervised release. Supervision commenced at the end of December 2016.

Defendant has violated his supervision by masturbating in public. He again is seeking out women and girls and acting out sexually. The Government respectfully requests that the Court revoke defendant's supervised release.

Defendant's violations were discovered during the week of February 21, 2017, when defendant was scheduled for a polygraph examination. This was the first polygraph examination of his supervision. In the pre-test interview, defendant told the polygraph examiner and/or the probation officer that he was seeking out locations where women and girls would be, specifically Target, Walmart and a gym. He parked his car, looked for women with their female children and masturbated in his car in the parking lot. At Walmart, he entered the store, followed women and girls and then went to the public restroom and masturbated. He watched minor and adult females work out at a gym and masturbated as he observed them. He stated that he contacted women through the Riverfront Times ads for massages. He would go to the residence for a massage and then masturbate in his car afterwards. He further stated that he sought out shows on television that contained younger girls, ages six years old and older, and masturbated to images of the children.

Defendant was anxious and nervous before and during the polygraph examination. His

exam result was inconclusive and a second test could not be run because of his emotional state.

The Probation Office requests that the Court modify the conditions of supervised release to order the defendant to participate in GPS monitoring. The Government respectfully disagrees. Defendant's violations are a danger to the community. He has violated the law by committing indecent exposure and he poses a threat to women and children. The similarities of his violations to his original offense are troubling and require revocation.

For the foregoing reasons, the Government requests that the Court revoke defendant's supervised release.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney

s/ Carrie Costantin
CARRIE A. COSTANTIN #35925MO
Assistant United States Attorney
111 S. 10th Street, Room 20.333
St. Louis, Missouri 63102
(314) 539-2200
carrie.costantin@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2017, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all parties of record.

s/Carrie Costantin
CARRIE COSTANTIN 54734
Assistant United States Attorney